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ADA COUNTY RECORDER Christopher D. Rich
BOISE IDAHO Pgs=5 CHE FOWLER
CITY OF EAGLE

2016-011069
02/09/2016 02:38 PM
NO FEE



ORDINANCE NO. 748

AN ORDINANCE ANNEXING CERTAIN REAL PROPERTY SITUATED IN THE UNINCORPORATED AREA OF ADA COUNTY, IDAHO, AND CONTIGUOUS TO THE CORPORATE LIMITS OF THE CITY OF EAGLE, TO THE CITY OF EAGLE, IDAHO; CHANGING THE ZONING CLASSIFICATION OF SAID REAL PROPERTY DESCRIBED HEREIN FROM RUT (RURAL-URBAN TRANSITION) TO MU-DA (MIXED USE WITH A DEVELOPMENT AGREEMENT); AMENDING THE ZONING MAP OF THE CITY OF EAGLE TO REFLECT SAID CHANGE; DIRECTING THAT COPIES OF THIS ORDINANCE BE FILED AS PROVIDED BY LAW; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Eagle, Idaho is a municipal corporation organized and operating under the laws of the State of Idaho and is authorized to annex to and incorporate within the boundaries of the City contiguous real property in the manner provided by Section 50-222, Idaho Code; and

WHEREAS, the owner of the real property situated in the unincorporated area of Ada County and particularly described in Exhibit "A" of this ordinance has requested, in writing, annexation of said real property to the City of Eagle; and

WHEREAS, the owner of the real property situated within the City of Eagle and particularly described in Exhibit "A" of this ordinance has requested, in writing, a rezone from RUT to MU-DA; and

WHEREAS, the property described in Exhibit "A" is identified by the Ada County Assessor's Office as tax parcel number S0412314850; and

WHEREAS, the Planning and Zoning Commission of the City, pursuant to public notice as required by law, held a public hearing on August 17, 2015, as required by Section 67-6525, Idaho Code, and made a recommendation to the Mayor and Council; and

WHEREAS, the Eagle City Council, pursuant to public notice as required by law, held a public hearing on September 22, 2015, on the proposed annexation and zoning for the real property described in Exhibit "A" as required by Section 67-6525, Idaho Code, made findings and determined that the requested annexation should be granted and that a zoning classification of MU-DA for the property described in Exhibit "A" is appropriate to meet the requirements of Idaho Code, Eagle City Code and the Eagle Comprehensive Plan and should be granted.

COPY

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF EAGLE, IDAHO, as follows:

Section 1: The Eagle City Council hereby finds and declares that the real property particularly described in Exhibit "A", attached hereto and incorporated herein by reference, is contiguous to the City, that said property can be reasonably assumed to be used for the orderly development of the City, and that the owner of said property has requested, in writing, annexation thereof to the City.

Section 2: The real property, all situated in Ada County, Idaho, adjacent and contiguous to the City, particularly described in Exhibit "A" and as generally shown on Exhibit "B", attached here to and included herein by reference, is hereby annexed to the incorporated territorial limits of the City of Eagle, Idaho.

Section 3: The City Council hereby finds and determines that the real property particularly described in Exhibit "A" and generally as shown on Exhibit "B", attached hereto and incorporated by reference, is hereby removed from the RUT (Rural-Urban Transition) zoning classification and is hereby included in the MU-DA (Mixed Use with a development agreement) zoning classification all pursuant to the Zoning Ordinance of the City of Eagle. The City Council further finds and determines that said zone change is in accordance with the Eagle Comprehensive Plan and relevant City Codes and that the Zoning Map of the City is hereby amended to include the real property described in Exhibit "A" in the MU-DA zoning district.

Section 4: From and after the effective date of this Ordinance, all property and persons within the boundaries and territory described above shall be subject to all ordinances, resolutions, police regulations, taxation, and other powers of the City of Eagle.

Section 5: The City Clerk is hereby directed to file, within ten (10) days of passage and approval of this Ordinance, a certified copy of this Ordinance with the offices of the Auditor, Treasurer, and Assessor of Ada County, Idaho, and with the Idaho State Tax commission, Boise, Idaho, as required by Section 50-223, Idaho Code, and to comply with the provisions of Section 63-215, Idaho Code, with regard to the preparation and filing of a map and legal description of the real property annexed by this Ordinance.

Section 6: This Ordinance shall take effect and be in force from and after its passage, approval, and publication as required by law. In lieu of publication of the entire ordinance, a summary thereof in compliance with Section 50-901A, Idaho Code, may be published.

DATED this 26th day of January 2016.

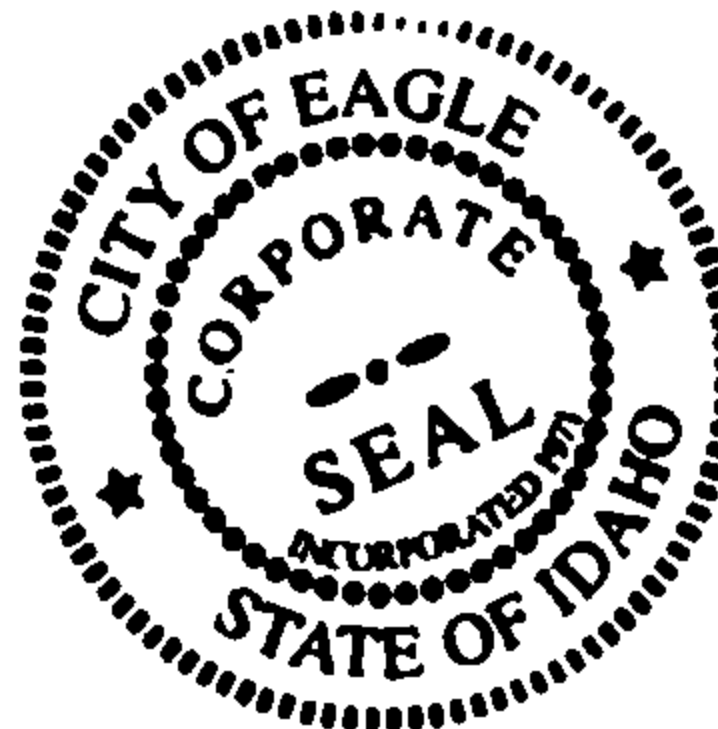
CITY COUNCIL OF THE CITY OF EAGLE

Ada County, Idaho

Stan Ridgeway
Stan Ridgeway, Mayor

ATTEST:

Sharon K. Bergmann
Sharon K. Bergmann, Eagle City Clerk



STATE OF IDAHO)

: ss.

County of Ada)

On this 27th day of January, in the year 2016, before me, the undersigned, a Notary Public in and for said State, personally appeared STAN RIDGEWAY, known to me to be the MAYOR of said municipal corporation that executed this instrument and the persons who executed the said instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

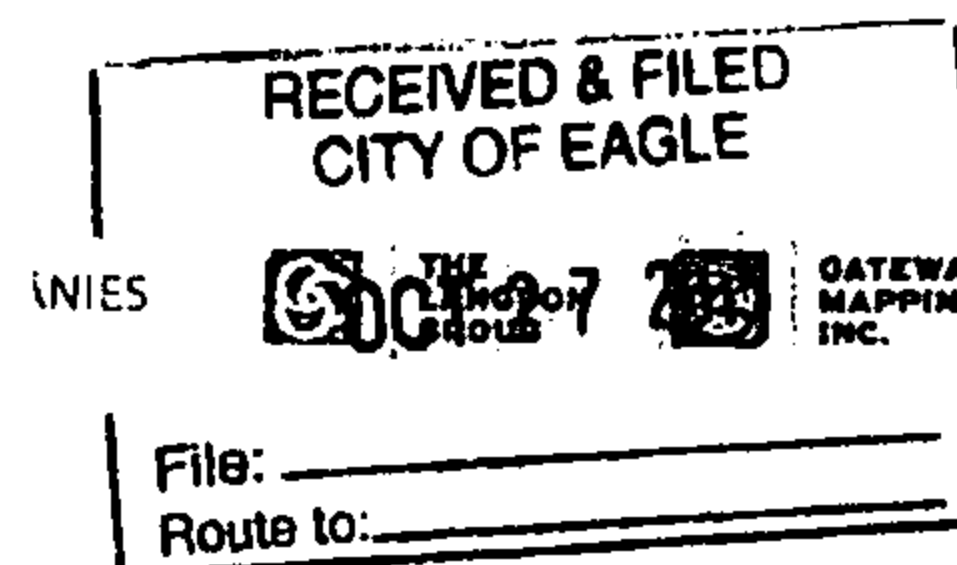
In witness whereof, I have hereunto set my hand and affixed my official seal the day and year first written.

Tracy E. Osborn
Notary Public
Residing at: Ada County, Idaho

A circular notary seal for Tracy E. Osborn. The outer ring contains the name "TRACY E. OSBORN" at the top and "STATE OF IDAHO" at the bottom, separated by two stars. The inner circle contains the word "NOTARY" at the top and "PUBLIC" at the bottom, with a signature in the center.

My Commission Expires: 01/12/2021

EXHIBIT "A"



Park Lane North Parcel Boundary Description

Project Number 10-15-047 May 11, 2015

A parcel of land situated in the northeast quarter of the southwest quarter of Section 12, Township 4 North, Range 1 West, Boise Meridian, Ada County, Idaho, and being more particularly described as follows:

Commencing at the south quarter-section of Section 12, Township 4 North, Range 1 West, Boise Meridian, which bears S89°51'46"E, 2661.97 feet from the southwest corner of Section 12; Thence N00°27'05"E, 2028.73 feet along the east line of the southwest quarter of Section 12 (Records of Survey Numbers 704, 1702, and 8002, records of Ada County, Idaho), to the centerline of the drainage ditch, the POINT OF BEGINNING;

Thence N89°10'00"W, 818.66 feet along the centerline of the drainage ditch;

Thence 179.19 feet on a curve to the left, having a radius of 800.00 feet, a central angle of 12°50'00", a chord bearing of S84°25'00"W, and a chord length of 178.81 feet, along the centerline of the drainage ditch;

Thence S78°00'00"W, 230.00 feet along the centerline of the drainage ditch;

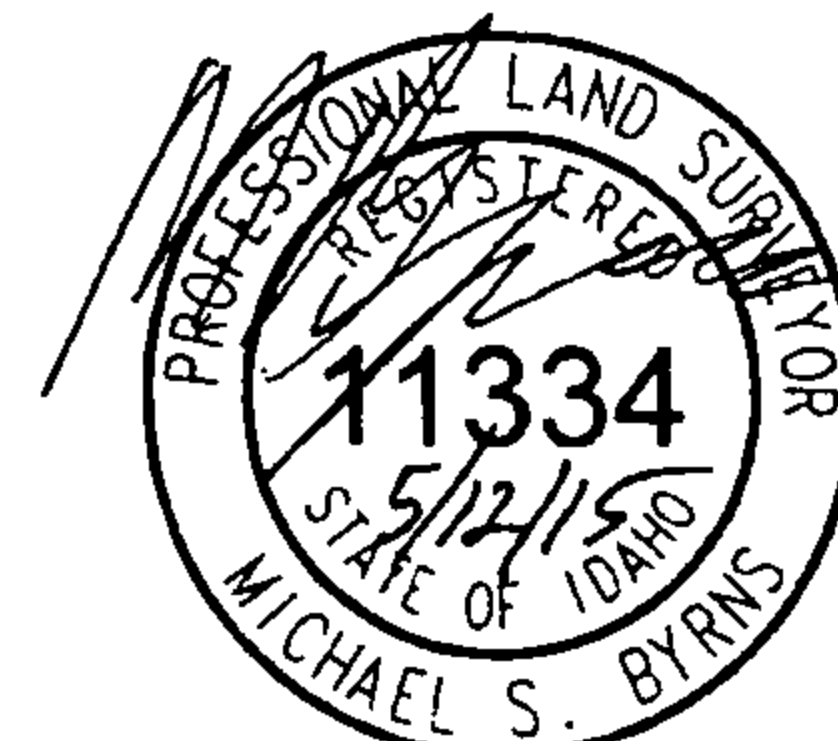
Thence 104.55 feet on a curve to the right, having a radius of 600.00 feet, a central angle of 09°59'02", a chord bearing of S82°59'31"W, and a chord length of 104.42 feet, along the centerline of the drainage ditch to the east boundary of Sedona Creek Subdivision (Book 86 of Plats at Pages 9715 through 9717, records of Ada County, Idaho);

Thence N00°38'41"E, 674.03 feet along the east boundary of Sedona Creek Subdivision to the south boundary of Kathleen Estates Subdivision (Book 98 of Plats at Pages 12548 through 12551, records of Ada County, Idaho);

Thence S89°20'04"E, 1322.32 feet along the south boundary of Kathleen Estates Subdivision to the center quarter-section corner (Records of Survey Numbers 704, 1702, and 8002, records of Ada County, Idaho);

Thence S00°27'05"W, 592.59 feet along the east line of the southwest quarter of Section 12 to the POINT OF BEGINNING.

The above-described parcel contains 18.39 acres, more or less.





Mayor
Stan Ridgeway

City of Eagle

P.O. Box 1520
Eagle, Idaho 83616
208-939-6813

Council Members
Jeff Kunz
Stanley J. Bastian
Naomi Preston
Craig Soelberg

CLERK'S CERTIFICATION

STATE OF IDAHO)
 : ss.
County of Ada)

I, Tracy E. Osborn, the duly appointed, qualified and acting Sr. Deputy City Clerk/Treasurer of the City of Eagle, County of Ada, State of Idaho, do hereby certify that the attached is a full, true and complete copy of Ordinance 748 that was recorded on February 9, 2016.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Eagle, Idaho, 23rd day of February, 2016.

Tracy E. Osborn,
Sr. Deputy City Clerk/Treasurer

REC'D FEB 24 2016